

CSReeder, PC
TRIAL LAWYERS AND GENERAL COUNSEL

December 8, 2022

The Honorable Sarah Netburn
United States Magistrate Judge
Southern District of New York
Thurgood Marshall Courthouse
New York, NY 10007

Re: *Lynne Freeman v. Tracy Deebs-Elkenaney et. al.* 22 Civ 2435 (LLS)

Dear Judge Netburn:

This firm represents Plaintiff Lynne Freeman (“Plaintiff”) in the above-referenced action.

It appears that the parties are going to reach an agreement on the procedure for reviewing redacted material without requiring you to do an in-camera inspection. We will be sending you a letter on that issue shortly.

However, as you know, Plaintiffs have more work than Defendants to complete by December 23, 2022. Both parties are required to submit a five-page letter brief to Your Honor on Friday, December 23, 2022, “describing, with as much particularity as possible, the alleged infringement and how the parties intend to prove it.” Additionally, by December 23, 2022, “Plaintiff has to produce any documents identified through an electronic search of plaintiff’s computer” and “submit to defendants a revised privileged log.” The five-page letter will take some time because we have to conduct research and gather factual material. The privilege log will also be time consuming because Ms. Freeman spoke to a number of lawyers and experts about her case prior to February 6, 2022. I also have to conduct research on how we can group lawyers on a list to avoid disclosing names of attorneys and consultants contacted by Plaintiff other than current counsel. Furthermore, I will need to review each of the letters to confirm their status based on comments made by the Court at the hearing.

I also must respond to two sets of Requests for Admissions by Monday, we are still reviewing Defendants’ production, I must work on other cases over the next two weeks, and have a couple of holiday functions I wish to attend. In light of the foregoing, I respectfully request that Your Honor continue to January 6, 2023, Plaintiff’s December 23 deadlines. I do not believe Defendants will suffer any prejudice. I might only normally ask for an additional week, but for the intervening holidays, require two weeks.

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Defendants have denied the request but asked if Plaintiff is granted an extension of the time within which to file the five-page letter Defendants, have a similar extension¹. However, I propose that the Court modify the Defendants' letter to discuss in particularity how they intend to defend their case, including, but not limited to, by use of their alleged affirmative defenses, and how they intend to prove that there was no infringement.

We again thank the Court for its time and attention to this matter.

Respectfully submitted,

CSReeder, PC



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¹ I did not ask Defendants about an extension with respect to providing the additional documents from my client's computer but assume the answer would be the same.

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cc: All counsel of record (via ECF)

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